



State of Arkansas

Public Health Emergency Leave Policy

PURPOSE

This policy will be in effect in the event the Governor issues an executive order declaring a public health emergency to coordinate and provide increased support to state agencies that are involved in the emergency response. The purpose of this policy is to outline provisions covering leave for employees of Arkansas State Government during a public health outbreak or emergency health declaration of the Governor of Arkansas, or both. The goal of the policy is to keep state employees safe and healthy while ensuring that all essential state services remain operational.

SCOPE

This policy addresses an emergent situation and does not create a past practice or expectation of continuation of this policy outside of a public health emergency event.

POLICY

At the present time, employees who are not symptomatic or who have not traveled to an at-risk area are required to maintain their normal work routine. We encourage employees to work with their supervisors and Departments to review Department Continuity of Operations Plans.

Sick Employee Unrelated to a Public Health Emergency

If an employee is not feeling well or is ill, he or she should stay home and follow his or her normal leave process with the Department. Please review the Transformation and Shared Services (TSS) Office of Personnel Management (OPM) Sick Leave Policy and your Department Handbook regarding leave for normal illnesses and unwellness. Employees are strongly encouraged to stay home if they have any illness. If any employee has been ill, then they should stay home until at least 24-hours after they are free of fever or signs of a fever without the use of fever-reducing medications. The Department has the authority to send an employee home if he or she is ill. The Department may require the employee to use any available accrued leave if the Employee has any symptoms of illness, starting with sick leave. If that employee has no leave balance remaining, then the Employee will be placed on Leave Without Pay or approved Catastrophic Leave pursuant to existing policy.

Potential Exposure or Quarantine Following Personal Travel

If an employee returns from personal travel and is advised by a public health official to be voluntarily or involuntarily quarantined, then the employee (if asymptomatic) should consider working from home utilizing Arkansas's Public Health Emergency Policy on Working Remotely in effect during this public health emergency. If work from home is not possible, then the employee shall use accrued leave for that time, starting with sick leave. The employee shall not report to work until the quarantined time has lapsed. If that employee has no leave balance remaining, then a Governor's Executive Order could allow employees to borrow up to 80 hours of future leave earnings. More than 80 hours of future leave earnings may be borrowed if advised by the Arkansas Department of Health (ADH) or appropriate medical professionals. TSS OPM would develop a policy to address leave payback measures. Leave would be paid back within 24 months or at the time of departure from state employment.

Exposed Individual

Employees who have come into contact with an individual that has tested presumptive positive or exhibit the symptoms of the public health emergency shall not come to work. If an employee has had contact with a patient being treated for the public health emergency and has been advised to self-quarantine, then the employee (if asymptomatic) should consider working from home utilizing Arkansas's Public Health Emergency Policy on Working Remotely in effect during this public health emergency. If work from

home is not possible, then the employee shall use accrued leave for that time, starting with sick leave. The employee shall not report to work until the quarantined time has lapsed. If that employee has no leave balance remaining, then the employee could receive Director's Authorized Leave, which may be used without the employee having to use sick leave.

Employees Exhibiting Symptoms or Diagnosed with the Public Health Emergency

Employees who have been exposed to the public health emergency disease or exhibit the symptoms of the public health emergency disease shall not come to work. If an employee is diagnosed and laboratory-confirmed with the public health emergency disease, then the employee must not return to work until receiving verification of fitness to work from the ADH or a health care provider. The employee shall use accrued leave for that time, starting with sick leave. If that employee has no leave balance remaining, then the employee could receive Director's Authorized Leave, which may be used without the employee having to use any leave.

Child Care Closings, School Closings, Child Care, or Elder Care During the Public Health Emergency

When a Department is open, but an employee who is a parent or guardian is required to stay home with a dependent (as defined in the Family Medical Leave Act) because of the closure of a school or child care facility, then the employee may (with Secretary approval) work from home utilizing Arkansas's Public Health Emergency Policy on Working Remotely in effect during this public health emergency or elect to: use existing accrued leave, arrange for approval to work an alternate schedule with your Department, or take Leave Without Pay. This applies to elder care as well.

In the Event of a Governor-Mandated Closure

State services must remain available to those that need them. The Secretary of Health, in consultation with the Governor, shall have sole authority over all instances of quarantine, isolation, and restrictions on commerce and travel throughout Arkansas.

In case of an executive order issued by the Governor to protect public health, the Governor may close all non-essential State services and order essential services to remain operational. Each Department's Continuity of Operations Plan addresses essential employees. Only essential employees shall report to work either remotely or on-site if an executive order closing all non-essential State services is issued. The ability to work remotely or the requirement to report on-site will depend on the nature of the essential duties of the employee and will be determined by the Secretary of the employee's Department. Non-essential employees will receive Director's Authorized Leave without impacting employee leave balances for up to 30-calendar days. The non-essential employee's pay shall continue at the same rate the employee would have received had the employee been working.

Essential employees may only be excused from work if:

- They are quarantined, exhibit symptoms of the public health emergency disease, or are diagnosed with the public health emergency disease; or
- They are required to care for a member of their immediate family who is quarantined, exhibiting symptoms of the public health emergency disease, or are diagnosed with the public health emergency disease.

Each situation will be reviewed on a case-by-case basis and essential employees may be subject to disciplinary action for willful failure to report or remain at work. If an essential employee is unable to work for the above stated reasons, then his or her identified backup shall report to work.